

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHABUCALIK GERALDS,

Plaintiff,

Civil Action No.
CV 08-0104

v.

DINESH PATEL, DDS, MDC-Brooklyn;
PAMELA HAMILTON, DDS, MDC-Brooklyn;
RAUL CAMPOS, Health Services Administrator,
MDC-Brooklyn; J. SAINT-PREUX, MLP,
MDC-Brooklyn,

(Garaufis, J.)

(Bloom, M.J.)

**STIPULATION AND ORDER
OF DISMISSAL**

Defendants.

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WHEREAS, Plaintiff commenced this action on or about January 3, 2008 seeking, *inter alia*, damages pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971); and

WHEREAS, by Order dated February 25, 2009, Defendant Pamela Hamilton was dismissed from this case on the ground of absolute immunity; and

WHEREAS, Plaintiff and the remaining Defendants have reached an agreement to resolve this dispute in its entirety.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND
BETWEEN THE UNDERSIGNED, AND IT IS ORDERED BY THE COURT THAT:**

1. Pursuant to Federal Rules of Civil Procedure 41(a)(1)(ii) and 41(a)(2), all claims that Plaintiff has or could have asserted against Defendants Dinesh Patel, Raul Campos or J. St. Preux, in either an official or individual capacity, based upon the facts alleged in the complaint in this action, are hereby dismissed with prejudice, and without costs, fees, or expenses to any party as against the others.

2. Nothing in this Stipulation and Order shall be deemed a waiver, admission, or concession of liability by any party with respect to any claim or defense in this action, apart from those resolved in accordance with paragraph "1" *supra*.

Dated: Waymart, Pennsylvania
April 10, 2009

SHABUCALIK GERALDS
USP Canaan
U.S. Penitentiary
P.O. Box 300
Waymart, PA 18472

By: Shabucalik Gerald
SHABUCALIK GERALDS
Fed. Reg. No. 53931-053

Dated: Brooklyn, New York

April 6, 2009

May

BENTON J. CAMPBELL
United States Attorney
Eastern District of New York
Attorney for Defendants Dinesh Patel
Raul Campos and J. St. Preux
271 Cadman Plaza East
Brooklyn, New York 11201

By: Kenneth M. Abell
KENNETH M. ABELL (KA 2035)
Assistant U.S. Attorney
(718) 254-6004

SO ORDERED at Brooklyn, New York,
this _____ day of _____, 2009:

HONORABLE NICHOLAS G. GARAUFIS
United States District Judge